

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

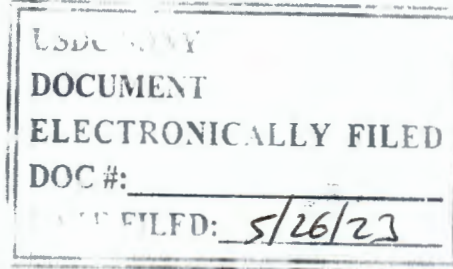
STATE OF NEW YORK, ex rel. WEST
MIDWAY, LLC,

Plaintiffs,

PARADIGM CAPITAL MANAGEMENT,
INC., C.L. KING & ASSOCIATES, INC.,
CANDACE KING WEIR, AMELIA
FARLEY WEIR, and ROBERT A. BENTON,

Defendants.

No. 22-cv-9243-LLS



~~PROPOSED~~ ORDER

LLS

WHEREAS the Court has extended the deadline for Defendants to answer or otherwise respond to the complaint in this action for the purpose of allowing the parties to exchange a preliminary set of documents;

WHEREAS the Court has entered a protective order, agreed upon by the parties, to facilitate that exchange;

WHEREAS as part of that exchange, Plaintiff-Relator West Midway, LLC ("Relator") wishes to share with Defendants' counsel the cover letters accompanying the status reports submitted by the New York State Office of Attorney General ("OAG") to the State Court during the pre-declaration phase of this *qui tam* action (collectively, the "Cover Letters");

WHEREAS the State Court's Partial Unsealing Order in this case did not include the Cover Letters and therefore they remain under seal after removal of the case to this Court;

WHEREAS Relator's counsel has conferred with OAG and that office does not object to the unsealing of the Cover Letters; and

WHEREAS the Cover Letters are now part of this Court's case file;

It is hereby **ORDERED** that:

1. The seal shall be partially lifted as to the Cover Letters.
2. This partial lift of the seal only extends to the Cover Letters and does not extend to the status reports themselves.

3. This partial lift of the seal only extends to Defendants' counsel of record.
4. This partial lift of the seal does not unseal any other documents currently under seal and sets no precedent as to the unsealing of any such documents.
5. Disclosure of the Cover Letters or other unsealed documents in the case file shall not constitute a waiver of the joint prosecution privilege or common interest privilege (or any related protection) that exists between OAG and Relator's counsel with respect to any documents or communications between them.
6. Upon entry of this Order, Relator's Counsel may produce the Cover Letters in its possession to Defendants' counsel of record subject to the terms of the protective order.

It is so **ORDERED**.

New York, New York

May 26, 2023

BY THE COURT

Louis L. Stanton
Louis L. Stanton, J.